

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT, PRESIDING

September 25, 2000

A. CALL TO ORDER

The September 25, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Chief Deputy Charles Brown of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Gerald Clifton-----District 3, Absent
Supervisor John Caldwell-----District 4
Supervisor Tommy Lewis-----District 5
W. E. “Sluggo” Davis-----Chancery Clerk
David Armstrong-----County Administrator
James Albert Riley-----DeSoto County Sheriff
William Austin-----Board Attorney

County Administrator David Armstrong notified those present that Supervisor Gerald Clifton was unable to attend due to his wife’s illness.

B. INVOCATION

The invocation was presented by Jim Flanagan, Director of the DeSoto Council.

C. JIM FLANAGAN - ECONOMIC DEVELOPMENT REPORT

Jim Flanagan, Director of the DeSoto Council, presented the Board of Supervisors with a copy of the current Economic Development Report and Industrial Data book for review. Mr. Flanagan said that there are currently close to thirty-five industrial prospects in DeSoto County. Mr. Flanagan further advised that Hallmark Flowers has purchased the old Huffey Warehouse located on Interstate 55. Mr. Flanagan also provided the Board with a copy of the new Retail Trade Guide.

****See Exhibit C****

Mr. Flanagan invited the Board of Supervisors to attend the J. L. Hammett ground breaking ceremony scheduled for October 2, 2000 at 10:30 a.m. Mr. Flanagan also informed the Board of Supervisors that the Convention and Visitors Bureau and the River Kings are going to recognize the Board of Supervisors on October 14th, which is opening night for the River Kings at the Civic Center.

ITEM D, CONTINUED,

D. LEGISLATIVE DELEGATION

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Supervisor Eugene Thach introduced the Legislative Wish List for 2001 and welcomed Senator Bill Minor, Senator Bobby Chamberlin, Representative John Mayo, and Representative Wanda Jennings of the Legislative Delegation and Mayor Mike Thomas of Horn Lake and Mayor Sam Rikard of Olive Branch. Supervisor Thach gave an overview of the projected population for DeSoto County, the sales tax collections, property assessment values, and the number of building permits issued in 1999.

FINANCE

A. Homestead Exemption Loss

Supervisor John Caldwell informed the Legislators that the County would like for the formula for homestead exemption to be adjusted so that DeSoto County will benefit from its growth. Supervisor Caldwell said with the current formula, the total loss for DeSoto County is \$4,909,862.00.

B. Sales Tax

Supervisor John Caldwell said that the County relies on property taxes as its primary funding and requested that counties share the State sales taxes to help fund essential county services.

C. Gaming Redistribution

Supervisor John Caldwell said that gaming revenue should be distributed statewide and asked the Legislators to consider a statewide distribution for gaming revenue like the State of Nevada uses.

D. State Support for Health Department

Supervisor John Caldwell said that currently DeSoto County provides 19% more funds to the Health Department than the State does. Supervisor Caldwell requested that the State adequately fund its own agencies instead of relying on Counties to local departments.

E. Municipal Support for Health Department

Supervisor John Caldwell said the rapid growth in the number of restaurants in DeSoto County has made it difficult for health inspectors to conduct regular health inspections of all restaurants. Supervisor Caldwell said the Cities are requesting legislation that will allow the Cities to contract with the State or private agencies to inspect restaurants in DeSoto County. Mayor Sam Rikard of Olive Branch said that the State Inspectors should be funded by the State and if not, the Cities want the authority to do it themselves.

F. County Credit Card

Supervisor John Caldwell informed the Legislators that very few places allow the County to direct bill for travel and said that the County needs to be allowed to have a County credit card for that purpose. Senator Bill Minor said that Counties can have credit cards if a bank agrees to issue the card without any fees or interest rates. Supervisor Caldwell said that the County would only use the credit card to confirm reservations. Board Attorney Bill Austin said that a few years ago the County was issued a credit card with no assessed fees or interest rates and the

ITEM D, CONTINUED,

Audit Department said the County could not have the credit card. Mr. Austin said it is not fair for an employee to use a personal credit card for County business. Senator Minor said the Tax Collectors can accept credit card payments if the County is not billed by the credit card service.

INFRASTRUCTURE

A. Highway 51 South of Church Road Widened

Supervisor Jessie Medlin said that there is nothing in the MDOT Road Plan about widening Highway 51 south of Church Road. This issue needs to be expedited.

B. Inclusion in Great River Road Studies

Supervisor Jessie Medlin notified the Legislators that DeSoto County would like to be included in the Great River Road Studies on Highway 61 with the other Counties.

C. Highway 301 South to be Accepted in State Highway Program

Supervisor Jessie Medlin said that Highway 301 was built in accordance with State Aid regulations and that the County would like to see Highway 301 accepted in the State Highway Program.

D. Improvement of Germantown Road

Supervisor Jessie Medlin said that the City of Olive Branch is in the process of acquiring right of ways and moving utilities on Germantown Road so that it can be accepted as a State road, however, this does not mean that the road will be widened. Mayor Rikard said that the City of Olive Branch and the County would like for the State to widen the road to a five-lane road with two pull over lanes as it currently is in Shelby County just across the State line.

E. Highway 305 Improvements Between Olive Branch and Lewisburg

Supervisor Jessie Medlin requested that Highway 305 between Olive Branch and Lewisburg be widened and the improvements be considered as a higher priority on the MDOT Road Plan due to the increased amount of traffic on Highway 305.

F. Highway 304

Supervisor Jessie Medlin said the County is requesting that when the new Highway 304 is completed that the old Highway 304 be left on the State Highway System so that the State can continue maintenance of the highway and the Mississippi Highway Patrol can continue to run radar on the old Highway 304.

HEALTH AND PUBLIC SAFETY

A. Radar for Sheriff

County Administrator David Armstrong said that due to the substantial growth in DeSoto County and high traffic counts on County roads, the Board is asking for legislation to allow the DeSoto County Sheriff’s Department to run radar on County roads.

ITEM D, CONTINUED,

B. More Highway Patrol Officers

County Administrator David Armstrong said the number of highway patrol officers assigned to DeSoto County had decreased from seven officers to three officers and the County would like

to have the total increased back to seven permanent officers.

C. Mississippi Highway Safety Patrol's Use of Radar

County Administrator David Armstrong that Section 63-3-519 of the Mississippi Code prohibits the Mississippi Highway Patrol from running radar in municipalities with a population in excess of 15,000. Mr. Armstrong said currently this applies to the City of Southaven and when the Census results are received, Horn Lake and Olive Branch will also be included. Mr. Armstrong said that the Board would like this provision modified to allow the MHP to write tickets, when necessary, in municipalities. Senator Bill Minor said that the Cities want this law to remain as is so that they can receive income from running radar themselves.

D. Construction of Welcome Center on Highway 78

Supervisor Jessie Medlin said that a Welcome Center on Highway 78 is requested. Supervisor Medlin said that if restrooms are not added he would like to see the rest area closed because people are using the rest area for illegal purposes. Mayor Sam Rikard said that the Olive Branch Police Department are constantly responding to calls at the rest area because the area has no security guard or facilities. Mayor Rikard said that there are numerous truck stops in that area and the rest area is no longer needed by truckers.

Representative Wanda Jennings said that due to budget restraints, the State is unable to fund the Welcome Center. Representative Jennings asked the Board Attorney what justification can the Legislators use to request the closing of the parking area. Board Attorney Bill Austin said that the Legislators can request the area be closed due to public health and safety issues. Supervisor Eugene Thach said to wait and see if the Legislators will fund the rest area before the Board requests that it be closed, because if it is ever closed it may be impossible to reopen.

ADMINISTRATIVE

A. Separate Circuit District

Supervisor Tommy Lewis said that a separate circuit district for DeSoto County is requested to help expedite the increasing Circuit Court caseload.

B. Planning and Zoning Authority in Villages

Supervisor Tommy Lewis said the County is requesting legislation to enable counties to provide planning and zoning for villages because they are too small to do their own planning and zoning.

C. Election Year Restrictions for the County Road Departments

Supervisor Tommy Lewis said that Section 19-13-21 of the Mississippi Code causes delays in necessary road work and needs to be revised to increase the monetary amount allowed. Supervisor Lewis also said that Section 23-15-881 of the Mississippi Code also needs to be revised to allow for more than a 10% increase in employees in the Road Department during the election year as compared to the first year of the term of office.

ITEM D, CONTINUED,

D. Modification of State Retail Sales Tax Legislation

Jim Flanagan, Director of the DeSoto Council, requested that the Legislators repeal the State

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retail sales tax legislation to do away with sales taxes on warehouses. Senator Bill Minor said that he thinks the State Tax Commission is going to do away with this provision within the next three years.

E. Authorization for Counties to Correct Drainage Problems

Supervisor Tommy Lewis informed the Legislators that the County needs authorization to go onto private property to correct drainage problems due to safety issues. Supervisor Lewis said that currently the County can only go onto private property for drainage problems when it is impacting a County road. Supervisor Lewis said Representative Valeria Robertson and he have discussed this issue in detail.

F. Expediting the Transfer of Lunacy Patients

Supervisor Tommy Lewis said the Board is requesting legislation to require the State to accept lunacy patients within a 24 hour period or to pay the County to take care of the lunacy patients. Senator Bill Minor said that if the State is able to fund the seven proposed crisis centers, lunacy patients will no longer be housed in county jails.

G. Funding of Death Row Appeals

Supervisor Tommy Lewis said the Board is requesting the State to pay for the defense of death row inmates to relieve the burden from the counties.

H. Naming Rights to Civic Center

Board Attorney Bill Austin said that an Attorney General opinion says that local and private legislation lacks explicit authority to sell the naming rights to the DeSoto Civic Center. Mr. Austin said that he recently found out that a county can have a website and sell advertising on that website. Mr. Austin said that he thinks that the County has the authority through existing legislation, but needs to obtain specific authority to sell naming rights to the Civic Center. Senator Bill Minor suggested that the County send a resolution asking authority to sell the naming rights to get faster results. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to send a resolution to the Legislators requesting authority to sell the naming rights to the DeSoto Civic Center. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

I. Aerial Photography for Property Reappraisals

Supervisor Tommy Lewis said that the Board would like the code revised to state that counties that have a GIS system only be required to provide aerial photographs for areas of high growth. Supervisor Lewis said that it is unnecessary to go to this expense if there is a fully operational GIS Department.

ITEM D, CONTINUED,

Supervisor Eugene Thach thanked the Legislative Delegation for coming to discuss the Legislative Wish List and asked that the Legislators provide an update of these issues as they are addressed during the Legislative Session. Supervisor John Caldwell thanked the Legislators for the work they have done and said he appreciated them taking time out of their schedules to meet with the Board.

Supervisor Eugene Thach informed the Legislators that the County’s bond rating with

Moody’s Investor Services went from an “A+” to a “AA-”, which is the best rating for a county in the State.

The Board of Supervisors thanked the Legislative Delegation in advance for their help to accomplish these improvements.

E. OLD BUSINESS

1. Agreement to Fly Model Planes on Landfill

Jim Bearden, Director of Operations and Maintenance, informed the Board of Supervisors that he showed Chris Heuer the property lines at the landfill and Mr. Heuer was not sure if there was enough area for them to fly the model planes. Supervisor John Caldwell said he spoke with Mr. Heuer and Mr. Heuer asked that the Board hold this over to allow time discuss details regarding the landfill. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to hold this item until October 2, 2000. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit E.1****

2. Intersection of Starlanding Road and Highway 301

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to hold this item until October 2, 2000. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit E.2****

3. November Referendum for Fire Departments

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to hold this item until October 2, 2000 to allow the Board Attorney to hear from his request to the Attorney General. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES

ITEM E.3, CONTINUED,

Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit E.3****

4. Approval of Contract - Pitney Bowes - Welfare Department

County Administrator David Armstrong informed the Board that there is \$1,000.00 in the economic assistance budget for postage. Mr. Armstrong said he discussed the contract with Kathy White and she agreed to decrease the contract from 60 months to 24 months at \$125.00 a month. Supervisor Eugene Thach questioned why the County should approve the contract instead of the State. Mr. Armstrong said that Ms. White said the State may agree to the contract but there is a lot of red tape that they must go through before the State will agree to the contract.

Supervisor Jessie Medlin said if the money is in the budget, he does not have a problem with approving the contract. Supervisor John Caldwell said he does not think the County should cut funding to the State departments, but thinks the County is paying too much for State agencies and that the County should make the State come up with funding for its own departments. Supervisor Eugene Thach said it is not fair for the State to keep cutting back and expecting the counties to pay for their departments.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a contract with Pitney Bowes for a postage machine for the Welfare Department for a period of 24 months at a cost of \$125.00 a month. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit E.4****

F. NEW BUSINESS

1. Tax Assessor

a. Approval of Application for Certification

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Application for Certification authorizing DeSoto County to expend the one (1) mill for reappraisal in accordance with Section 27-39-329(b) of the Mississippi Code and to authorize the Board President to sign the Application for Certification. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.1.a****

ITEM F.1.b, CONTINUED,

b. Approval of Contracts with Bill Bryant

- (1) Appraisal of Personal Property**
- (2) Appraisal of Real Property**
- (3) Mapping**

County Administrator David Armstrong informed the Board of Supervisors that the Board Attorney has reviewed the contracts with Bill Bryant for appraisal of personal property, appraisal of real property, and mapping for FY01 and the contracts are ready for Board approval. Mr. Armstrong said that the total amount of the contracts is \$60,000.00, which is the

same as the amount for FY00.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve the contracts between Bill Bryant and DeSoto County for appraisal of personal property, appraisal of real property, and mapping for FY01 in the amount of \$60,000.00. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.1.b****

Supervisor Eugene Thach asked the reappraisal is on schedule. Bill Bryant said that the Tax Assessor’s Office is on schedule and will make the July 31, 2002 deadline. Mr. Bryant said the figures will be ready on July 1, 2002 when the preliminary tax rolls are turned over to the Board if Supervisors. Supervisor Thach asked when the reappraisal will take effect. Mr. Bryant said they will be ready when the Board adopts the tax rolls the first Monday of August, 2002 and will go into effect the following January and totally implemented in 2003. Mr. Bryant said the Tax Commission wants the reappraisal implemented in 2002 but the Tax Assessor’s Office wants to make sure all figures have been rechecked before implementation.

2. Approval of Late Bill

a. Election Systems & Software, Inc.

This item was taken off of the agenda by the County Administrator.

b. Law Office of John Keith Perry - Dean Beard Trial

This item was taken off of the agenda by the County Administrator.

c. County Administrator - Computer

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve a late bill to Government Computer Sales in the amount of \$2,288.00 for a computer in the County Administrator’s office and authorized the Clerk to write the check. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----ABSENT
Supervisor Eugene C. Thach-----YES

ITEM F.2.c, CONTINUED,

Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.2.c****

d. Planning Commission - Computer

At the recommendation of Director of Planning, Merritt Powell, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a late bill to Government Computer Sales in the amount of \$1,573.00 for a computer for the Planning Commission and authorized the Clerk to write the check. The **motion passed** by a vote as

follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.2.d****

3. Request for Assistance - Walls Elementary School

County Administrator David Armstrong advised the Board of Supervisors that he received a letter from Superintendent of Education, Jerry Baird, requesting the County provide dirt to cover exposed concrete and pea gravel for the playground at Walls Elementary School. Supervisor Eugene Thach said that the County usually provides labor and equipment for requests for work at schools with the schools providing the materials. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Road Manager to haul dirt and pea gravel for the playground area at Walls Elementary School with the school providing the materials. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.3****

4. District 5 Park Fund - Hernando Civic Center

Supervisor Tommy Lewis informed the Board of Supervisors that he received a request from the Hernando Civic Center asking for a donation of \$3,000.00 to help fund the facility. The Board of Supervisors noted the favorable opportunities, possibilities, and resources the Hernando Civic Center brings to DeSoto County. Because of the many citizens and visitors served through this volunteer effort, the Board of Supervisors determined this an excellent means of advertising the resources of DeSoto County, and in accordance with Section 17-3-1 of the Mississippi Code, Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to donate \$3,000.00 to the Hernando Civic Center to help fund the facility and to authorize a budget amendment as follows:

ITEM F.4, CONTINUED,

Decrease	001-525-913	District 5 Park	\$ 3,000.00
Increase	001-675-522	Advertise County Resources	\$ 3,000.00

The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

5. Approval to Cremate Pauper and Update of Limits of Pauper Burial/Cremation

County Administrator David Armstrong informed the Board of Supervisors that Coroner Jeffery Pounders requested approval to cremate Rodney Earl Ludlam as a pauper because he has been unable to locate any family members of Mr. Ludlam and the time period for Baptist DeSoto to hold the body is about to expire.

In accordance with Section 43-31-29 of the Mississippi Code, which states the Board of Supervisors shall also relieve, support or employ paupers found or being in the county, though not entitled to a settlement therein, and, in case of their deceased, shall decently bury them; and all expenses shall be chargeable to and recoverable from the county in which such pauper had a settlement; and the board shall decently bury all strangers dying in the county, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to declare Rodney Earl Ludlam a pauper and to authorize the Clerk to write a check in the amount not to exceed \$475.00 for the cremation of Rodney Earl Ludlam as previously approved by telephone by Supervisor Jessie Medlin, Supervisor Eugene Thach, and Supervisor Tommy Lewis. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.5****

6. Approval to Refund Conditional Use Fee

At the recommendation of Planning Director, Merritt Powell, Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to a authorize a conditional use fee to be refunded to Thomas Tello in the amount of \$ 150.00 and authorized the Clerk to write the check. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

ITEM F.7, CONTINUED,

7. Authorization to Reimburse Funds - Metro Narcotics

County Administrator David Armstrong informed the Board of Supervisors that Metro Narcotics is asking that the County reimburse funds to a defendant in the amount of \$228.00 due to a Settlement Agreement agreed upon by the attorneys of Metro Narcotics and the defendant. Board Attorney Bill Austin asked that the Board be provided a copy of the order before any action is taken on this issue. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to hold this item until October 2, 2000 to get a copy of the Judge’s order. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.7****

8. Approval of Contract

a. Justice Court - West Group

At the recommendation of Justice Court Clerk Linda Aldridge, Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve a contract for Justice Court with West Group for Westlaw Pro and Keycite internet service in the amount of \$152.00 a month for a period of 12 months. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.8.a****

Supervisor John Caldwell requested that all software be approved by Larry Wood to make sure the software is authorized and compatible with the computer systems being used by the County.

b. Board of Supervisors - Ikon

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve a contract with Ikon for a Canon 1R2105 copier with a document feeder and cabinet for the Board of Supervisors in the amount of \$90.00 a month for a period of 22 months. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.8.b****

ITEM F.9, CONTINUED,

9. Bob Lynam - Risk Management Proposal

Bob Lynam of J. Henry & Company out of Nashville presented a copy of a risk management proposal to the Board of Supervisors for review. Mr. Lynam said he reviewed claims for the past five years and the number of claims and the expense to handle the claims increased significantly. Mr. Lynam said unless corrective action or counter measures are taken, the trend will continue.

Mr. Lynam informed the Board that the Risk Management Proposal will include two phases with Phase I composed of three objectives as follows:

- Objective 1: Conduct a formal safety audit of county operations and claims.
- Objective 2: Review accident report procedures and use of standardized procedures, which will include training of Department Heads and designated supervisors.
- Objective 3: Review of losses through a Fleet Management Program, which will include evaluation of driver selection for both emergency and non-emergency vehicles and defensive training programs.

Mr. Lynam said after Phase I is completed, Phase II will be for the County to hire its own safety officers for risk management control. Mr. Lynam suggested that the County take the necessary steps to implement a risk management program as soon as possible due to the size and growth patterns of DeSoto County.

Mr. Lynam informed the Board that the objectives will be completed within ninety days. Supervisor Caldwell asked how many hours will be needed for the project so that the Board will have an estimate of the cost. Mr. Lynam said that Phase I, which includes all three objectives will not exceed \$10,000.00. Supervisor Caldwell asked if the \$10,000.00 includes time, expenses, and travel. Mr. Lynam said that \$10,000.00 for Phase I includes all expenses.

County Administrator David Armstrong asked Mr. Lynam what he thinks are the main issue with risk management for DeSoto County. Mr. Lynam said that the main issue is accountability and that someone needs to review the departments on an individual basis. Mr. Lynam said that another issue of concern is that some employees have a tendency to believe that risk management is not needed because the County has insurance. Further, Mr. Lynam said a county the size of DeSoto County needs a centralized person on board. Mr. Armstrong asked Mr. Lynam if having a safety officer will help reduce claims. Mr. Lynam said having a safety officer will help reduce premiums and the number of claims.

Supervisor Tommy Lewis asked how much is in the budget for risk management. Mr. Armstrong said there is currently \$66,500.00 in the budget. Supervisor Lewis asked if that is enough for a risk management officer. Mr. Lynam said that risk management is a higher paid position than a safety officer. Supervisor Lewis asked if the safety officer needs to be hired prior to the proposal being approved. Mr. Lynam said that a safety officer will not be hired until Phase II. Mr. Lynam advised that workers comp is not included in this proposal but is a major part of safety officer issues.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve and accept the Risk Management Proposal of J. Henry & Company. Supervisor John Caldwell withdrew his motion and Supervisor Tommy Lewis withdrew his second so that the Board can hear from others who may be interested in submitting risk management proposals.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion
ITEM F.9, CONTINUED,

to appoint Supervisor Tommy Lewis and Supervisor John Caldwell to a committee to review risk management proposals and then bring a recommendation back to the Board of Supervisors. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to take Risk Management Proposals under advisement. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.9****

10. Request to Enter an Interlocal Agreement with Olive Branch for Stateline Road

County Administrator David Armstrong informed the Board of Supervisors that Gary Snyder of Watkins, Ludlam, Winter, & Stennis recommended that the City of Olive Branch and DeSoto County enter an Interlocal Agreement as partners working together to get enabling legislation to allow improvements on Stateline Road. Supervisor Jessie Medlin said this would only be a partnership with DeSoto County supporting the City of Olive Branch with no commitment to funding the improvements on Stateline Road. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to authorize the County to enter into an Interlocal Agreement with the City of Olive Branch for improvements on Stateline Road. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.10****

11. Authorization for Final Distribution of FY2000 Fire Funds

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis to approve the final distribution for FY2000 Fire Funds in accordance with Section 19-5-95 of the Mississippi Code as further described in the attached order:

**ORDER APPROVING EXPENDITURES TO FIRE DEPARTMENTS OF THE
REMAINDER OF FUNDS AS AUTHORIZED UNDER SECTION 19-5-95,
MISSISSIPPI CODE OF 1972 AS AMENDED**

ITEM F.11, CONTINUED,

BE IT ORDERED:

That on July 5, 2000, this Board of Supervisors did authorize payment of \$171,224.18 as the annual allocation of funds available to the DeSoto County Volunteer Fire Departments as authorized under Section 19-5-95 of the Mississippi Code of 1972 as amended. This date David Armstrong, County Administrator, has informed this Board that the remaining funds available for distribution from the Fiscal Year 2000 budget, based on the millage adopted by the Board for these departments, amounts to \$61,675.27.

THEREFORE, the total allocations for the Volunteer Fire Department under the authority of Section 19-5-95 and Section 83-1-39 of the Mississippi Code of 1972, are as follows:

\$521,345.68 Total Revenue Received Fiscal Year End 2000
- 459,670.41 Less Total Expenses Fiscal Year 2000

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\$ 61,675.27 Total Available for Distribution from Fiscal Year 2000 Funds

WHEREAS, the following volunteer fire departments, to-wit: Bridgetown Volunteer Fire Department; Brights-Lewisburg Volunteer Fire Department; DeSoto Woods Volunteer Fire Department; Eudora Volunteer Fire Department; Fairhaven Volunteer Fire Department; Love Station Volunteer Fire Department; Nesbit Volunteer Fire Department; Summershill Volunteer Fire Department, Alphaba, Cockrum, Ingram’s Mill Volunteer Fire Department; and Walls Volunteer Fire Department are eligible to participate in the funds.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS:

That available funds for county volunteer fire departments under the provisions Sections 19-5-95 and 83-1-39, Mississippi Code of 1972 for the year 2000 will be divided on the following basis and formula:

- a. All ten (10) volunteer fire departments shall share equally in 60% of all available funds.
- b. All ten (10) volunteer fire departments shall share according to their percentage of the population serviced by said fire departments in 40% of all the remaining available funds.

That based on the preceding formula heretofore adopted by the Board of Supervisors for the

ITEM F.11, CONTINUED,

division of funds among the various volunteer fire departments, the following allocations of the Fiscal Year 2000 funds are to be made to the following fire departments:

<u>Fire Departments</u>	<u>FY 2000 Budget Allocation Funds</u>
Alphaba, Cockrum, Ingram’s Mill	\$ 4,557.31
Bridgetown	4,290.16
DeSoto Woods	5,011.96
Eudora	5,284.76
Fairhaven	5,315.26
Lewisburg	6,366.33
Love	6,536.90
Nesbit	7,280.73
Summershill	8,309.22
Walls	8,722.65
TOTAL	<u>\$ 61,675.27</u>

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Any fire house or permanent building constructed by any of these funds must be on county owned property. None of the funds shall be used to purchase land.

All departments receiving these funds shall refer to Sections 19-5-95 and Sections 83-1-39, Mississippi Code of 1972, as amended regarding appropriate use of these funds. Furthermore, each department shall account for these funds separately from all other allocations and available funds. State purchase procedures as detailed in the appropriate sections of the Mississippi Code of 1972, as amended, shall be followed. All departments receiving these funds are subject to audit by the Mississippi Department of Audit, and that each department receiving these funds is directly accountable to the Mississippi State Auditor.

That the following vote was taken on this action:

First District Supervisor Jessie L. Medlin	<u>ABSENT</u>
Second District Supervisor Eugene C. Thach	<u>YES</u>
Third District Supervisor Gerald Clifton	<u>ABSENT</u>
Fourth District Supervisor John M. M. Caldwell, Sr.	<u>YES</u>
Fifth District Supervisor Tommy Lewis	<u>YES</u>

ORDERED AND DONE, this the 25th day of September, 2000.

12. Authorization to Order Chancery Systems Furniture

Vanessa Lynchard informed the Board of Supervisors that approval is needed to order systems furniture for the Chancery Clerk’s offices in order to receive the furniture in time. Vanessa said that it was determined that it would be best to order systems furniture for the Courthouse renovation just like was ordered for the Administration Building so that in the future, the systems furniture can be interchanged as needed. Vanessa said the systems furniture will be on GSA contract, which is the federal equivalent to State contract. Vanessa said that the Chancery

ITEM F.12, CONTINUED,

systems furniture is ready to be ordered but Circuit Clerk Dale Thompson will not know the needs of her office until her area is nearer to completion.

Vanessa Lynchard said that she is currently working on the total cost of the systems furniture and asked the Board to approve ordering the furniture up to \$30,000.00. Vanessa further stated that the amount needed for contingency items is unknown but that there should be enough to cover the purchase of the furniture for both the Chancery and Circuit areas, as well as the change orders for the Courthouse renovation. Vanessa said the bond money will be used to purchase the furniture.

Chancery Clerk Sluggo Davis thanked Vanessa Lynchard for her work on selecting the systems furniture for the Chancery area and added that Vanessa has spent a lot of time on this issue and ultimately, her efforts will save the County money. Sluggo informed the Board that this is only the systems furniture that is being ordered and that the other furniture will be ordered at a later date.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize the purchase of systems furniture for the Chancery Clerk’s area in the Courthouse not to exceed \$30,000.00 and authorize a budget amendment as necessary to purchase the furniture. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES

Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.12****

13. Authorization to Apply for Recycling Grant

At the recommendation of Jim Bearden, Director of Operations and Maintenance, Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the County to apply for recycling grant through the Mississippi Department of Environmental Quality at \$25,875.00. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit F.13****

14. Authorization for Budget Transfer to Expend to Avails of the 1 Mill Levy Upon State Tax Commission Approval

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize a budget transfer to expend to the avails of the one (1) mill levy as set forth in Section 27-39-329(b) of the Mississippi Code upon receiving approval of the State Tax Commission. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----ABSENT

ITEM F.14, CONTINUED,

Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

G. EXECUTIVE SESSION

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

H. OTHER ISSUES

1. Approval of Resolution Directing Sale and Award of \$18 Million Bond

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a resolution directing the sale and award of a General Obligation Public Improvement Bond, Series 2000, of DeSoto County, Mississippi, to be dated the date of delivery thereof, in the principal amount of not to exceed eighteen million dollars (\$18,000,000) (The”Bond”); approving the form and execution of a County Bond Purchase Agreement for the sale of the bond and a bank bond purchase agreement for the sale of the \$18,000,000 Mississippi Development Bank Special Obligation Bonds, Series 2000 (DeSoto County, Mississippi General Obligation Public Improvement Bond Project) (The “Bank Bonds”); and approving and authorizing the form of, execution and distribution of an official statement pertaining to the bank bonds. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit H.1****

2. Brick Mailboxes

Road Manager Kenny Gunn asked the Board of Supervisors for direction regarding brick mailboxes in DeSoto County. Mr. Gunn said he would like to send a letter to individuals with brick mailboxes giving them fourteen days to take down the mailboxes before the County takes action. Supervisor John Caldwell said to send a letter stating that the time has already expired to take down the brick mailboxes and that the County is going to take down the mailboxes.

Supervisor Jessie Medlin asked how many brick mailboxes are left in the County. Mr. Gunn said that he will get an updated list for the Board. Supervisor Tommy Lewis asked Mr. Gunn to include the date that the last letter was sent when he compiles the list. Supervisor John Caldwell asked Mr. Gunn to identify which brick mailboxes are in the City if the information is available.

Board Attorney Bill Austin said the brick mailboxes are a safety issue and the individuals have already been asked to take them down and chose not to. Mr. Austin said because it is a safety issue, the County has the right to take the brick mailboxes down after giving sufficient notice to the individuals. Supervisor John Caldwell said the County needs to be consistent with their policy because some constituents have complied and it is not fair for their neighbors to still have their brick mailboxes.

ITEM H.2, CONTINUED,

Supervisor Jessie Medlin asked Planning Director Merritt Powell if the Planning Commission can have constituents sign a separate piece of paper when they come in to get a building permit stating that they are aware that brick mailboxes are prohibited. Mr. Powell said it is already stated on the application that they fill out but that he will do whatever the Board wants him to do.

3. Codification

Supervisor John Caldwell asked about the status of the codification. Vanessa Lynchard said that she received notification that they have our information and that the next step is for them to send information back for us to go through. Vanessa said she will update the Board about the codification as she receives information.

4. FY2000 EPA Grant

Supervisor Tommy Lewis informed the Board of Supervisors that the EPA approved the FY2000 grant in the amount of \$2,976,000.00. Supervisor Lewis said they are in the process of reviewing the FY2001 applications.

5. District 4 Park Fund

Supervisor John Caldwell notified the Board of Supervisors that he received a request from Mayor Mike Thomas of the City of Horn Lake asking the County to help improve the road at the Greg Maxey Memorial Park. Supervisor Caldwell said the City of Horn Lake will be providing the materials. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Road Manager to rock and tar the road at the Greg Maxey Memorial Park in the City of Horn Lake with the materials for the road

improvements being provided by the City of Horn Lake. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

6. Local Calling Areas

Supervisor Jessie Medlin informed the Board of Supervisors that at the public meeting to discuss the 233 calling area in Cockrum, Mike Walker of BellSouth advised that FCC approval is needed to change the ladda to provide local calling for the 233 calling area. Supervisor Medlin said that BellSouth is trying to get into the long distance service and if they do, it would do away with the ladda for the 233 calling area. Supervisor Jessie Medlin said that it could take two to three years for them to get service.

Supervisor Tommy Lewis said that the BellSouth practices are unfair and that people in the Cockrum area should be able to call across DeSoto County like the rest of the people in DeSoto County. Supervisor John Caldwell suggested that the County review legal issues regarding telecommunications.

Board Attorney Bill Austin suggested that the Board authorize him and the County Administrator to contact Jim Flanagan to come and report about telephone service in other suburbs and identify options that are available for the County.

ITEM H.6, CONTINUED,

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to instruct the Board Attorney to look into options for DeSoto County regarding telephone calling areas. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to adjourn until October 2, 2000 at 9:00 a.m. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Gerald Clifton-----ABSENT
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

THIS the 25th day of September, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Eugene C. Thach, President
DeSoto County Board of Supervisors

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